

DRAFT Agenda Sept 11, 2013

Combined Mtg. Region 4 RAC and Mental Health Board

8:45 – 9:45 a.m. RAC Providers Subcommittee

Updates from H&W CO, BPA, Courts, IDJC and IDCO (all invited)

10 am to 12 Noon Combined RAC and Mental Health Board meeting

Call to order and approval of combined meeting agenda

Welcome by RAC and MH chairs, Darren Richman and Greg Dickerson

Brief introductions of attendees

Approval of RAC/MH combined Meeting minutes, July 10, 2013 meeting

10:15 a.m. Update on Transformation – committee report, legislation update (if available), discussion

11:00 a.m. Discussion/decision on invitation to join with MH Planning committee on legislative event

11:10 a.m. Update on Optum and Medicaid transition

11:20 a.m. Children's Mental Health subcommittee update, if needed

11:25 a.m. Discussion on future meetings schedule

11:15 a.m. to noon Networking updates and Adjourn

Next Meetings:

MH board meeting October 8, noon to 2 pm ACSO Building #1

CMH is 10/8 from 8:30 to 10 am in Room 131, H&W offices at Westgate campus

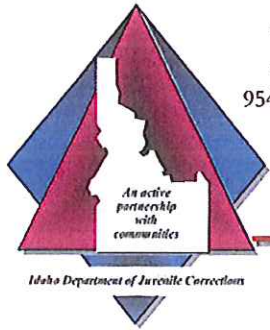
RAC Providers Subcommittee – TBA

RAC and MH combined meeting – November 13, 2013 – location to be announced, 10 am to noon (RAC providers subcommittee 8:45 to 9:45 am)

Juvenile Justice Substance Use Disorder Services Delivery System
Expenditures Paid through August 31, 2013

County	Juveniles in Tmt	FY 2014 Allocation	Direct Care Expenditures YTD	Administrative Costs	Total Expenses YTD	Remaining Balance	% Spent (12.5% of Year)	Juveniles Served
Benewah	4	\$ 20,804	\$ 6,152	\$ -	\$ 6,152	\$ 14,652	30%	1
Bonner	4	\$ 80,684	\$ 6,663	\$ -	\$ 6,663	\$ 74,021	8%	4
Boundary	7	\$ 24,528	\$ 1,199	\$ -	\$ 1,199	\$ 23,329	5%	8
Kootenai	70	\$ 298,472	\$ 12,302	\$ -	\$ 12,302	\$ 286,170	4%	55
Shoshone	11	\$ 24,012	\$ 1,785	\$ -	\$ 1,785	\$ 22,227	7%	11
District One Total	96	\$ 448,500	\$ 28,100	\$ -	\$ 28,100	\$ 420,400	6%	79
Clearwater	5	\$ 13,724	\$ 590	\$ -	\$ 590	\$ 13,134	4%	5
Idaho	3	\$ 30,160	\$ 149	\$ -	\$ 149	\$ 30,011	0%	2
Latah	3	\$ 54,476	\$ 9,535	\$ -	\$ 9,535	\$ 44,941	18%	3
Lewis	1	\$ 6,968	\$ 74	\$ -	\$ 74	\$ 6,894	1%	1
Nez Perce	11	\$ 74,748	\$ 1,196	\$ -	\$ 1,196	\$ 73,552	2%	12
District Two Total	23	\$ 180,076	\$ 11,545	\$ -	\$ 11,545	\$ 168,531	6%	23
Adams	-	\$ 6,280	\$ -	\$ 85	\$ 85	\$ 6,195	1%	-
Canyon	117	\$ 458,444	\$ 46,827	\$ 6,199	\$ 53,026	\$ 405,418	12%	88
Gem	1	\$ 34,664	\$ -	\$ 469	\$ 469	\$ 34,195	1%	-
Owyhee	1	\$ 28,496	\$ 123	\$ 385	\$ 509	\$ 27,987	2%	3
Payette	3	\$ 62,638	\$ 12,701	\$ 761	\$ 13,462	\$ 49,176	21%	2
Washington	10	\$ 22,613	\$ 1,453	\$ 300	\$ 1,753	\$ 20,860	8%	7
District Three Total	132	\$ 613,135	\$ 61,103	\$ 8,200	\$ 69,303	\$ 543,832	11%	100
Ada	153	\$ 806,476	\$ 75,484	\$ 2,826	\$ 78,310	\$ 728,166	10%	127
Boise	-	\$ 16,472	\$ -	\$ 58	\$ 58	\$ 16,414	0%	-
Elmore	13	\$ 54,608	\$ 9,261	\$ 191	\$ 9,452	\$ 45,156	17%	7
Valley	7	\$ 15,976	\$ 15,861	\$ 56	\$ 15,917	\$ 59	100%	8
District Four Total	173	\$ 893,532	\$ 100,606	\$ 3,131	\$ 103,737	\$ 789,795	12%	142
Blaine	1	\$ 40,828	\$ 2,654	\$ -	\$ 2,654	\$ 38,174	7%	2
Camas	-	\$ 1,888	\$ -	\$ -	\$ -	\$ 1,888	0%	-
Cassia	6	\$ 57,568	\$ 592	\$ -	\$ 592	\$ 56,976	1%	5
Gooding	7	\$ 35,408	\$ 223	\$ -	\$ 223	\$ 35,185	1%	3
Jerome	20	\$ 51,212	\$ 4,205	\$ -	\$ 4,205	\$ 47,007	8%	10
Lincoln	-	\$ 12,732	\$ -	\$ -	\$ -	\$ 12,732	0%	-
Minidoka	5	\$ 49,244	\$ 409	\$ -	\$ 409	\$ 48,835	1%	4
Twin Falls	42	\$ 163,064	\$ 31,092	\$ -	\$ 31,092	\$ 131,972	19%	51
District Five Total	81	\$ 411,944	\$ 39,176	\$ -	\$ 39,176	\$ 372,768	10%	75
Bannock	29	\$ 165,164	\$ 11,052	\$ -	\$ 11,052	\$ 154,112	7%	27
Bear Lake	-	\$ 13,820	\$ -	\$ -	\$ -	\$ 13,820	0%	-
Caribou	1	\$ 16,416	\$ -	\$ -	\$ -	\$ 16,416	0%	-
Franklin	-	\$ 37,012	\$ -	\$ -	\$ -	\$ 37,012	0%	-
Oneida	-	\$ 10,612	\$ -	\$ -	\$ -	\$ 10,612	0%	-
Power	4	\$ 19,964	\$ 278	\$ -	\$ 278	\$ 19,686	1%	3
District Six Total	34	\$ 262,988	\$ 11,331	\$ -	\$ 11,331	\$ 251,657	4%	30
Bingham	11	\$ 122,828	\$ 3,617	\$ 2,272	\$ 5,889	\$ 116,939	5%	9
Bonneville	98	\$ 258,014	\$ 68,990	\$ 4,437	\$ 73,427	\$ 184,587	28%	98
Butte	1	\$ 6,700	\$ 50	\$ 124	\$ 174	\$ 6,526	3%	1
Clark	-	\$ 2,636	\$ -	\$ 49	\$ 49	\$ 2,587	2%	-
Custer	2	\$ 8,324	\$ -	\$ 154	\$ 154	\$ 8,170	2%	-
Fremont	9	\$ 33,060	\$ 2,655	\$ 612	\$ 3,267	\$ 29,793	10%	7
Jefferson	11	\$ 68,944	\$ 1,340	\$ 1,275	\$ 2,615	\$ 66,329	4%	6
Lemhi	3	\$ 15,672	\$ 282	\$ 290	\$ 572	\$ 15,100	4%	4
Madison	2	\$ 70,644	\$ 9,228	\$ 1,307	\$ 10,535	\$ 60,109	15%	5
Teton	2	\$ 20,196	\$ 699	\$ 374	\$ 1,072	\$ 19,124	5%	2
District Seven Total	139	\$ 607,018	\$ 86,861	\$ 10,893	\$ 97,754	\$ 509,264	16%	132
Statewide Total	678	\$ 3,417,193	\$ 338,722	\$ 22,224	\$ 360,946	\$ 3,056,247	11%	581
Treatment Fund		\$ 338,507	\$ -		\$ -			
BPA Service Fees		\$ 75,000		\$ 18,892	\$ 18,892			
State Administration		\$ 200,800		\$ 30,958	\$ 30,958			
Total Appropriation	678	\$ 4,031,500	\$ 338,722	\$ 72,074	\$ 410,796	\$ 3,620,704	10%	581

Juveniles in Treatment: Clients with active authorization in WITS for an assessment or treatment; Administrative Costs: County level for Project Directors in 3rd, 4th and 7th; Treatment Fund: Amounts set aside to address any year end expenditures and treatment costs to be re-allocated to county budgets throughout year; State Administration: Includes IDJC staff position, travel and training expenses and evaluation contract. % of Year: Based on the Management Services Contractor's billing cycle.



Idaho Department of Juvenile Corrections

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Telecommunications Relay Service (TRS) 1 800 377-3529

C.L. "BUTCH" OTTER
Governor

SHARON HARRIGFELD
Director

August 30, 2013

TO: Adolescent Substance Use Disorder Treatment Providers
FROM: Sharon Burke, IDJC Substance Use Disorder Services Program Manager
RE: Juvenile Justice Substance Use Disorder Services Delivery System

Thank you for your hard work and dedication to serving justice-involved juveniles. As we begin another year of operations, a number of changes will be impacting our process.

Transition to Optum Health for Medicaid Clients

It is important that probation maintain strong involvement with the Medicaid eligible clients that are referred to treatment through the court process. In consideration of the Optum referral and authorization process, we have developed the following steps:

- The attached JJ SUDS Authorization Form will be faxed to providers for all clients referred by probation;
- If the juvenile is Medicaid eligible, the Medicaid number will be indicated on the right hand corner of the form;
- Though the provider will use the Optum system to obtain authorizations for services, it is important that the JPO is included on the Release of Information and communication occurs regularly;
- The provider and JPO can work together to ensure the juvenile is receiving all necessary services for the duration that will result in a successful outcome. The JPO can consider authorizing services from IDJC funding if the juvenile has:
 - 1) issues with initial eligibility;
 - 2) requires a need for non-Medicaid service such as transportation;
 - 3) a condition which warrants a move to residential care or other housing support; or
 - 4) a Medicaid authorization that ends before provider and probation believe the treatment has been completed.

Probation will be an important partner in ensuring Medicaid clients receive the full range of services to make their treatment a success.

As you transition clients in the next 60 days, please let us know if you have any difficulties. It is critical that the juvenile's treatment episode not be interrupted during this shift to Optum Health.

An active partnership with communities

WITS Implementation

Effective October 1, all client services will be paid using WITS billing data. Checks for client services authorized for justice-involved juveniles will be paid directly by IDJC. The attached W-9 will need to be completed if your agency is not already set up in the state system. Please complete the form as well as the direct deposit section so that we can transmit the payment electronically. A voided check will need to be mailed to IDJC (PO Box 83720 Boise, ID 83720-0285) per the instructions.

We plan to make payments two times per month but will test on a weekly basis in October to ensure you are receiving deposits in a timely fashion. The payments will be based on 100% of the rate matrix as IDJC will not withhold 5% for future incentive purposes.

We appreciate your hard work to implement these system changes. Please do not hesitate to call me (577-5424) or Joni Ward (577-5450) if you have any questions or need assistance in this process. Our priority is to continue serving the juveniles throughout these system changes and we will be happy to help with the process to ensure treatment can continue during this period. We look forward to working together to facilitate a smooth transition in the coming months.

DHW Expenditures as of 8/16/2013

Insurer	Client Count (YTD)	Sum of Paid Plus Incentive	% of Non- Medicaid	Non-Medicaid Total	Medicaid Total	Budget	% of Budget Complete 8/16/2013	% of Year Complete 13%
DHW - IDHW - ATR-III - Administrative	34	\$ 2,119	100%	\$ 2,119	\$ -			
DHW - IDHW - ATR-III Adolescent Benefit	24	\$ 2,304	100%	\$ 2,304	\$ -			
DHW - IDHW - ATR-III Adolescent Benefit - Medicaid	26	\$ 4,159	30%	\$ 1,248	\$ 2,911			
DHW - IDHW - ATR-III Military Benefit	161	\$ 83,160	100%	\$ 83,160	\$ -			
DHW - IDHW - ATR-III Military Benefit - Medicaid	26	\$ 19,297	30%	\$ 5,789	\$ 13,508			
DHW - IDHW - ATR-III Misdemeanor	786	\$ 313,762	100%	\$ 313,762	\$ -			
DHW - IDHW - ATR-III Misdemeanor - Medicaid	90	\$ 42,383	30%	\$ 12,715	\$ 29,668			
ATR Total	1,147	\$ 467,184		\$ 421,097	\$ 46,087	\$ 2,724,921		15.5%
Adult	19	\$ 10,884	100%	\$ 10,884	\$ -			
Adult-Medicaid	1	\$ 2,018	30%	\$ 605	\$ 1,413			
Adult Total	20	\$ 12,902		\$ 11,489	\$ 1,413	\$ 100,000		11.5%
Adolescent			100%	\$ -	\$ -			
Adolescent-Medicaid	1	\$ 12,461	30%	\$ 3,738	\$ 8,723			
Adolescent Total	1	\$ 12,461		\$ 3,738	\$ 8,723	\$ 100,000		3.7%
CP-SUD	197	\$ 86,911	100%	\$ 86,911				
CP-SUD - Medicaid	70	\$ 32,121	30%	\$ 9,636	\$ 22,485			
CP-SUD Total	267	\$ 119,032		\$ 96,547	\$ 22,485	\$ 750,000		12.9%
DV Court	121	\$ 75,441	100%	\$ 75,441	\$ -			
DV Court - Medicaid	21	\$ 12,425	30%	\$ 3,727	\$ 8,697			
DV Court Misdemeanor Total	142	\$ 87,866		\$ 79,169	\$ 8,697	\$ 429,000		18.5%
IVDU	361	\$ 108,111	100%	\$ 108,111				
IVDU - Medicaid	46	\$ 40,703	30%	\$ 12,211	\$ 28,492			
IVDU Total	407	\$ 148,814		\$ 120,322	\$ 28,492	\$ 1,000,000		12.0%
PWWC	118	\$ 119,506	100%	\$ 119,506				
PWWC - Medicaid	140	\$ 153,398	30%	\$ 46,020	\$ 107,379			
PWWC Total	258	\$ 272,904		\$ 165,525	\$ 107,379	\$ 450,000		36.8%
State Hospital	65	\$ 49,162	100%	\$ 49,162				
State Hospital - Medicaid	23	\$ 10,942	30%	\$ 3,283	\$ 7,659			
State Hospital Total	88	\$ 60,104		\$ 52,444	\$ 7,659	\$ 325,000		16.1%
Mental Health Court	39	\$ 32,157	100%	\$ 32,157				
Mental Health Court - Medicaid	23	\$ 29,366	30%	\$ 8,810	\$ 20,556			
Mental Health Court Total	62	\$ 61,523		\$ 40,967	\$ 20,556	\$ 300,000		13.7%
Misdemeanant PSC			100%	\$ -	\$ -			
Misdemeanant PSC - Medicaid			30%	\$ -	\$ -			
Misdemeanant PSC Total	0	\$ -		\$ -	\$ -	\$ 275,000		0.0%
Medicaid Only	854	\$ 344,395	30%	\$ 103,318	\$ 241,076			
Medicaid Only Total	854	\$ 344,395		\$ 103,318	\$ 241,076	\$ 916,667		
Unknown / Ineligible / Reserve	723	\$ 9,567	100%	\$ 9,567				
Non-Medicaid Total				\$ 1,104,184		\$ 7,917,043		13.9%
Medicaid Total					\$ 492,567			
Grand Total	3,969	\$ 1,596,751		\$ 1,596,751	\$ 1,596,751	\$ 7,917,043		20.2%

Projected EOY Total GF Spending	Amount Over (Under) GF Budget
\$ 3,332,156	\$ 607,235
\$ 2,477,323	\$ 2,377,323
\$ 1,210	\$ (399,745)
\$ 2,775,723	\$ 2,025,723
\$ 3,979,188	\$ 3,550,188
\$ 2,594,431	\$ 1,594,431
\$ 7,931,396	\$ 7,481,396
\$ 3,479,475	\$ 3,154,475
\$ 2,944,470	\$ 2,644,470
\$ -	\$ (916,667)
\$ 8,737,456	\$ 820,413
\$ -	\$ -
\$ 12,635,162	\$ 4,718,119

IDOC FY14 Substance Use Disorder Utilization Report

Report date: 8/23/2013

YTD 8/15/13

Treatment	D1	D2	D3	D4	D5	D6	D7	Grand Total
Assessment ONLY	\$5,481.03	\$1,303.97	\$10,763.67	\$17,584.01	\$434.02	\$5,580.23	\$4,712.20	\$45,859.13
Institution Assessment	\$4,165.50	\$1,364.05	\$13,566.10	\$7,700.71		\$5,505.81	\$2,827.31	\$35,129.48
Institution Assessment - Travel	\$93.27	\$346.50	\$1,212.84	\$27.68		\$110.92	\$56.60	\$1,847.81
IDOC - Pre-Treatment Services	\$5,266.34	\$1,885.96	\$11,290.01	\$20,388.06	\$3,533.66	\$7,230.60	\$5,191.95	\$54,786.58
IDOC - Stage 1: Level I - Outpatient	\$12,020.13	\$12,530.94	\$24,617.70	\$51,962.89	\$9,186.31	\$13,173.80	\$10,748.64	\$134,240.41
IDOC - Stage 1: Level II - Intensive Outpatient	\$1,724.55	\$13,334.38	\$12,402.47	\$20,103.11	\$2,663.18	\$12,866.89	\$3,628.75	\$66,723.33
IDOC - Stage 2: Level I - Outpatient	\$13,352.37	\$10,973.68	\$31,713.69	\$42,796.15	\$17,100.95	\$21,493.12	\$11,796.87	\$149,226.83
IDOC - Stage 2: Level II - Intensive Outpatient	\$620.32	\$16,900.98	\$6,229.46	\$12,944.51	\$682.66	\$6,178.97	\$5,602.16	\$49,159.06
Level III.2 - Adult Detoxification	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$42,723.51	\$58,640.46	\$111,795.94	\$173,507.12	\$33,600.78	\$72,140.34	\$44,564.48	\$536,972.63
Support Services								
Child Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Drug Testing	\$5,737.50	\$6,520.50	\$8,734.50	\$19,399.50	\$4,951.50	\$1,930.50	\$256.50	\$47,530.50
IDOC - Case Management (Basic & Intensive)	\$471.28	\$1,877.28	\$4,440.56	\$17,334.84	\$1,539.88	\$7,495.73	\$3,590.24	\$36,749.81
IDOC - Life Skills (Individual & Group)		\$112.88	\$47.28	\$875.58		\$104.96	\$26.24	\$1,166.94
Oral Interpreter / Sign Language (includes travel)						\$200.00		\$200.00
Staffed Safe and Sober Adult Housing	\$2,070.00	\$598.00	\$1,805.50	\$20,723.00			\$322.00	\$25,518.50
Transportation		\$2,192.22	\$1,413.17	\$14,098.35	\$1,585.68	\$3,574.65	\$2,502.00	\$25,366.07
Total	\$8,278.78	\$11,300.88	\$16,441.01	\$72,431.27	\$8,077.06	\$13,305.84	\$6,696.98	\$136,531.82
Administrative Cost								
Direct Client Services - Screening & Chart Review								\$80,481.81
Total								\$80,481.81
Grand Total	\$51,002.29	\$69,941.34	\$128,236.95	\$245,938.39	\$41,677.84	\$85,446.18	\$51,261.46	\$753,986.26
Average Cost per Unit of Care	\$39.91	\$42.08	\$40.62	\$28.06	\$34.11	\$44.27	\$39.71	\$4.17
Average of Length of Stay	169	164	157	136	177	187	168	165

Unique Client Counts (8/18/13)

	Client Region	Provider Region
Region 1	109	118
Region 2	49	50
Region 3	183	202
Region 4	262	249
Region 5	77	75
Region 6	136	137
Region 7	88	94
Region None	17	0
Total	921	921

Fiscal Data is based on BPA's Claims Report for period of 6/7/13 to 8/15/13

SECTION 1. That the Heading for Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended to read as follows:

CHAPTER 31
REGIONAL ~~MENTAL~~ BEHAVIORAL HEALTH SERVICES

SECTION 2. That Section 39-3123, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3122, Idaho Code, and to read as follows:

39-3122. DECLARATION OF POLICY. It is the policy of this state to provide treatment services for its citizens living with mental illness and/or substance use disorder. These illnesses cause intense human suffering and severe social and economic loss to the state. Regional behavioral health services, providing early and appropriate diagnosis and treatment, have proven to be effective in reducing the adverse impact of these conditions and valuable in creating the possibility of recovery. Families play a key role in the successful treatment of mental illness and substance abuse disorders and provision of behavioral health services. Acknowledging the policy of the state to provide behavioral health services to all citizens in need of such care, it is the purpose of this chapter to delegate to the state behavioral health authority the responsibility and authority to establish and maintain regional behavioral health services in order to extend appropriate mental health and substance use disorder treatment services to its citizens within all regions of the state.

SECTION 4. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3123, Idaho Code, and to read as follows:

39-3123. DEFINITIONS.

(1) "Behavioral health" means a person's over- all emotional and psychological condition, including a person's cognitive and emotional capabilities, the ability to function in society and other skills needed to meet the ordinary demands of everyday life. It also describes the evaluation and treatment of a person's combined mental health and substance use.

(2) "Region" means the administrative regions as defined by the department of health and welfare. Two (2) or more regions may consolidate for the purposes of this chapter.

(3) "State behavioral health planning council" means Idaho's council of consumers, advocates and professionals charged with reviewing the state's behavioral health system and advising the governor, legislature and agency leaders on the successes and challenges of the behavioral health system in Idaho.

(4) "Substance use disorder" means the misuse or excessive use of alcohol or other drugs or substances that significantly impact an individual's functioning.

SECTION 5. That Section 39-3124, Idaho Code, be, and the same is hereby amended to read as follows:

39-3124. DESIGNATION OF STATE MENTAL HEALTH AUTHORITY AND STATE SUBSTANCE USE DISORDER AUTHORITY. The Idaho department of health and welfare is hereby designated the state mental health authority and the state substance use disorder authority, hereinafter referred to as the behavioral health

Comment [ERD-C31]: Removed definitions of SPMI, SMI, SED, and BH Authority

authority. The ~~state mental behavioral~~ health authority is responsible for overseeing the State of Idaho Behavioral Health system of care. The Department shall ~~taking into consideration and incorporating, wherever possible, the recommendations and evaluations of the state behavioral health planning council on mental health and the regional mental behavioral health boards in all statewide efforts to expand, improve, modify or transform the mental health and substance use disorder service delivery system of the state. The state mental behavioral health authority shall identify the resources necessary for these efforts to be implemented on a statewide basis.~~

Comment [ERD-C32]: Added language that state BH Authority will oversee the State BH System

SECTION 6. That Section 39-3125, Idaho Code, be, and the same is hereby amended to read as follows:

39-3125. STATE BEHAVIORAL HEALTH PLANNING COUNCIL ~~ON MENTAL HEALTH.~~ (1) A state behavioral health planning council, hereinafter referred to as the planning council, shall be established to serve as an advocate for adults with a severe serious mental illness, and for children with a seriously emotional ly-disturbed children disturbance and youth for adults and children with substance use disorders; to advise the state ~~mental behavioral~~ health authority on issues of concern, on policies and on programs and to provide guidance to the ~~mental behavioral~~ health authority in the development and implementation of the state ~~mental behavioral~~ health systems plan; to monitor and evaluate the allocation and adequacy of ~~mental behavioral~~ health services within the state on an ongoing basis; to monitor and evaluate the effectiveness of state laws that address mental health and substance use services; to ensure that individuals with severe serious mental illness, and serious emotional disturbances and/or substance use disorders have access to prevention, treatment, ~~prevention and rehabilitation services including those services that go beyond the traditional mental health system~~; to serve as a vehicle for intra-agency and interagency policy and program development; and to present to the governor, the judiciary and the legislature by June 30 of each year a report on the council's achievements activities and the impact on the quality of life that mental an evaluation of the current effectiveness of the behavioral health services has on citizens of provided directly or indirectly by the state.

(2) The planning council shall be appointed by the governor and be comprised of no less more than fifty percent (50%) ~~family members and consumers with mental illness state employees or providers of behavioral health services.~~ Membership shall also reflect to the extent possible the collective demographic characteristics of Idaho's citizens. The planning council membership shall ~~strive to include representation from consumers, families of adult individuals with severe serious mental illness or substance use disorders; families of children or youth with serious emotional disturbance or substance use disorders; principal state agencies including the judicial branch with respect to mental behavioral health, education, vocational rehabilitation, eriminal justice adult correction and juvenile justice, title XIX of the social security act and other entitlement programs; public and private entities concerned with the need, planning, operation, funding and use of mental health services or substance use disorders, and related support services; and the regional mental behavioral health board in each department of health and welfare region as provided for in section 39-31302, Idaho Code. The planning council may include members of the legislature and the state judiciary.~~

(3) The planning council members will serve a term of two (2) years or at the pleasure of the governor, provided however, that of the members first

appointed, one-half (1/2) of the appointments shall be for a term of one (1) year and one-half (1/2) of the appointments shall be for a term of two (2) years. The governor will appoint a chair and a vice-chair whose terms will be two (2) years.

(4) The council may establish subcommittees at its discretion.

SECTION 7. That Section 39-3126, Idaho Code, be, and the same is hereby amended to read as follows:

39-3126. DESIGNATION OF REGIONS FOR COMPREHENSIVE MENTAL REGIONAL BEHAVIORAL HEALTH SERVICES CENTERS. Recognizing both the right need of every citizen to receive the best mental behavioral health services that the state is able to provide within budgetary confines and the disproportionate ability of counties to finance mental behavioral health services, the state mental behavioral health authority shall designate regions and be responsible for establishing regional comprehensive mental behavioral health services centers for all areas of the state. In the establishment of regions, primary consideration will be given to natural population groupings and trading service areas, the regions previously designated for the establishment of other health services, the mental behavioral health needs of the people within the proposed regions, and the appropriate maximal use of available funding.

SECTION 8. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3127, Idaho Code, and to read as follows:

39-3127. COORDINATION OF SERVICES BETWEEN REGIONS AND STATE. The director of the department of health and welfare shall establish the areas of coordination between the regional behavioral health centers and the state psychiatric hospitals.

SECTION 9. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3128, Idaho Code, and to read as follows:

39-3128. FACILITIES FOR BEHAVIORAL HEALTH CENTERS. The state behavioral health authority may contract for the lease of facilities appropriate for the establishment of behavioral health centers. In order to encourage the development of comprehensive and integrated health care and whenever feasible and consistent with behavioral health treatment, these facilities shall be in or near facilities within the region housing other health services. The state behavioral health authority may, when necessary, contract with public or private agencies for the construction of appropriate facilities when approved by the advisory council for the construction of community mental health centers.

SECTION 10. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3129, Idaho Code, and to read as follows:

39-3129. DIVISION ADMINISTRATOR FOR REGIONAL BEHAVIORAL HEALTH CENTERS -- DUTIES. The director of the department of health and welfare shall appoint a division administrator to manage the regional behavioral

health centers and shall supervise its program; shall prescribe uniform standards of treatment and care provided by each regional center; shall set the professional qualifications for staff positions; and make such other rules as are necessary and proper to carry out the purposes and intent of this chapter.

Comment [ERD-C33]: Moved section up to this from below to gather all the sections related to the state BH centers together rather than split up as

SECTION 11. That Section 39-3127, Idaho Code, be, and the same is hereby amended to read as follows:

39-312730. RECIPROCAL AGREEMENTS BETWEEN STATES TO SHARE SERVICES. In such regions where natural population groupings overlap state boundaries, as interstate regional comprehensive mental behavioral health service may be established jointly with a neighboring state or states. In such instances, the state mental behavioral health authority may enter into reciprocal agreements with these states to wither share the expenses of the services in proportion to the population served; to allow neighboring states to buy services from Idaho; or to allow Idaho to purchase services that are otherwise not available to her its citizens.

SECTION 12. That Section 39-3128, Idaho Code, be, and the same is hereby amended to read as follows:

39-312831. BEHAVIORAL HEALTH SERVICES TO BE OFFERED. A The regional mental behavioral health service center shall include one (1) or more of the provide or arrange for the delivery of services that, combined with community recovery support provided through the regional behavioral health boards, medicaid and services delivered through a private provider network, will leading to the establishment of a regional comprehensive mental regional behavioral health center system of care that incorporates patient choice and family involvement to the extent reasonably practicable and medically and professionally appropriate. A comprehensive mental The regional behavioral health center may include such shall provide or arrange for the delivery of the following services as:

(1) Short term hospitalization for psychiatric treatment in an approved medical facility within the region Evaluation and intervention for individuals experiencing a behavioral health emergency;

(2) Partial hospitalization Hospital precare and postcare services, in cooperation with state and community psychiatric hospitals, for individuals who have been committed to the custody of the director of health and welfare pursuant to sections 18-212 and 66-329, Idaho Code, or who are under an involuntary treatment order pursuant to chapter 24, title 16, Idaho Code;

(3) Outpatient diagnosis and treatment Evaluation and securing mental health treatment services as court ordered for individuals pursuant to section 19-2524, 20-511A or 20-519B, Idaho Code;

(4) 24-hour emergency psychiatric services Evaluation and securing treatment services for individuals who are accepted into mental health courts;

(5) Community consultation and education Treatment services to individuals who do not have other benefits available to meet their behavioral health needs as resources allow including, but not limited to, psychiatric services, medication management, outpatient and intensive outpatient services, assertive community treatment, case management and residential care; and

(6) Diagnostic services for other agencies; Community recovery support services as defined in section 39-3133(8), Idaho Code, until the regional behavioral health board can meet the criteria necessary to be responsible for these services.

(7) Rehabilitative services;

Comment [ERD-C34]: I took out reference to SPMI, SMI, & SED.

~~(8) Precare and postcare services in cooperation with a state mental hospital;~~

~~(9) Training of mental health personnel;~~

~~(10) Research and evaluation;~~

~~(11) Transitional housing for individuals, including juveniles, with mental illness and/or addiction disorders to promote and sustain the ability of these individuals to live in the community and avoid institutionalization; and~~

~~(12) Intensive supportive services such as those delivered by assertive community treatment teams. Assertive community treatment teams provide individualized treatment, rehabilitation and support services to the severely and persistently mentally ill.~~

SECTION 13. That Section 39-3129, Idaho Code, be, and the same is hereby repealed.

SECTION 14. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3131, Idaho Code, and to read as follows:

39-3132. REGIONAL BEHAVIORAL HEALTH BOARDS -- ESTABLISHMENT. There is hereby created and established in each judicial district according to chapter 8, title 1, Idaho Code, a regional behavioral health board. It is the legislative intent that the regional behavioral health boards operate and be recognized not as a state agency or department, but as governmental entities whose creation has been authorized by the state, much in the manner as other single purpose districts. However, the regional behavioral health boards shall have no authority to levy taxes. For the purposes of section 59-1302(15), Idaho Code, the seven (7) regional behavioral health boards created pursuant to this chapter shall be deemed governmental entities. The regional behavioral health boards are authorized to provide the community recovery support services identified in section 39-3133 (7), Idaho Code. The services identified in section 39-3133(7), Idaho Code, shall not be construed to restrict the services of the regional behavioral health board solely to these categories.

SECTION 15. That Section 39-3131, Idaho Code, be, and the same is hereby repealed.

SECTION 16. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3132, Idaho Code, and to read as follows:

39-3133. EXECUTIVE COMMITTEE OF THE REGIONAL BEHAVIORAL HEALTH BOARDS. Each regional behavioral health board shall annually elect from within its membership an executive committee of five (5) members empowered to make fiscal, legal and business decisions on behalf of the full board or join with another governmental entity that can fulfill the same management infrastructure function. If the regional behavioral health board elects to create their own internal executive committee, the membership shall be representative of the regional behavioral health board membership and must, at a minimum, include one (1) mental health consumer or advocate and one (1) substance use disorder consumer or advocate. The executive committees or the partner public entity shall have the power and duty, on behalf of the regional behavioral health boards, to:

(1) Establish a fiscal control policy as required by the state controller;

(2) Enter into contracts and grants with other governmental and private agencies, and this chapter hereby authorizes such other agencies to enter into contracts with the regional behavioral health boards, as deemed neces-

Comment [ERD-C35]: To allow partnerships with Public Health Districts or be a free standing public entity.

Comment [ERD-C36]: Same as above

sary to fulfill the duties imposed upon the board to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;

(3) Develop and maintain bylaws as necessary to establish the process and structure of the board; and

(4) Employ and shall fix the compensation, subject to provisions of chapter 53, title 67, Idaho Code, of such personnel as may be necessary to carry out the duties of the regional behavioral health boards.

(5) All meetings of the executive committee shall be held in accordance with the open meeting law as provided for in chapter 23, title 67, Idaho Code.

SECTION 17. That Section 39-3130, Idaho Code, be, and the same is hereby amended to read as follows:

39-31304. REGIONAL MENTAL BEHAVIORAL HEALTH BOARD -- MEMBERS -- TERMS -- APPOINTMENT. A regional mental behavioral health board for each region shall consist of ~~seventeen~~ twenty-two (4722) members ~~is hereby created~~ and shall be appointed as provided herein. All meetings of the regional behavioral health board shall be held in accordance with the open meeting law as provided for in chapter 23, title 67, Idaho Code. Members shall be ~~qualified electors and shall represent~~ comprised of the following: three (3) county commissioners; two (2) department of health and welfare employees who represent the mental behavioral health system within the region; ~~two~~ one (21) parents of a children with a serious emotional disturbance, ~~as defined in section 16-2403, Idaho Code, provided each parent's respective child is no older than twenty-one (21) years of age at the time of appointment;~~ one (1) parent of a child with a substance use disorder; a law enforcement officer; ~~three~~ one (31) adult mental health services consumer representatives, advocates or family members; one (1) mental health advocate; one (1) substance use disorder advocate; one (1) adult substance use disorder services consumer representative; one (1) family member of an adult mental health services consumer; one (1) family member of an adult substance use disorder services consumer; a private provider of mental health services within the region; a private provider of substance use disorder services within the region; a representative of the elementary or secondary public education system within the region; a representative of the juvenile justice system within the region; a representative of the adult correction system within the region; a representative of the judiciary appointed by the administrative district judge; a physician or other licensed health practitioner from within the region; and a representative of a hospital within the region; and a member of the regional advisory substance abuse authority. The consumer, parent and family representatives shall be selected from nominations submitted by mental behavioral health consumer and advocacy organizations. The board may have nonvoting members as necessary to fulfill its roles and responsibilities. The board shall meet at least twice each year, and shall annually elect a chairperson and other officers as it deems appropriate.

The appointing authority in each region shall be a committee composed of the chairperson of the board of county commissioners of each of the counties within the region; ~~the regional mental health program manager for the department of health and welfare and the regional director for on the effective date of this chapter, the current chair of the regional mental health board and the current chair of the regional advisory committee and, after the initial appointment of members to the regional behavioral health board, the current chair of the regional behavioral health board and one~~ (1) representative of the department of health and welfare. The committee shall meet annually or as needed to fill vacancies on the board. ~~The list of appointments shall be submitted to the department of health and welfare.~~

The appointing authority in each region shall determine if Members of the regional mental health advisory board and the regional advisory commit-

tee who are serving on the effective date of this ~~aet~~ chapter may continue to serve until the end of the current term of their appointment; ~~or they may end all current appointments and create the board membership based upon the requirements of this section.~~ If the appointing authority decides to allow current members of the board to serve out their current terms, appointments made after the effective date of this ~~aet~~ chapter shall be made in a manner to achieve the representation provided in this section as soon as reasonably practical.

The term of each member of the board shall be for four (4) years; provided however, that of the members first appointed, one-third (1/3) from each region shall be appointed for a term of two (2) years; one-third (1/3) for a term of three (3) years; and one-third (1/3) for a term of four (4) years. After the membership representation required in this section is achieved, vacancies shall be filled for the unexpired term in the same manner as original appointments. Board members shall be compensated as provided by section 59-509(b), Idaho Code, and such compensation shall be paid from the operating budget of the regional behavioral health board as resources allow.

SECTION 18. That Section 39-3132, Idaho Code, be, and the same is hereby amended to read as follows:

39-3132~~5~~. POWERS AND DUTIES. The regional ~~mental behavioral~~ health board:

(1) Shall advise the state ~~mental behavioral~~ health authority through the state planning council on local ~~mental behavioral~~ health needs within the region;

(2) ~~Shall assist in the formulation of an operating policy for the regional service;~~

(3) ~~Shall interpret the regional mental health services to the citizens and agencies of the region;~~

(4) Shall advise the state ~~mental behavioral~~ health authority and the state planning council of the progress, problems and proposed projects of the regional service;

(5) ~~Shall collaborate with the regional advisory substance abuse authorities to develop appropriate joint programs;~~

(6) Shall promote improvements in the delivery of ~~mental behavioral~~ health services and coordinate and exchange information regarding ~~mental behavioral~~ health programs in the region;

(7) Shall identify gaps in available services including, but not limited to, services listed in sections 16-2402(3) and 39-3128, Idaho Code, and recommend service enhancements that address identified needs for consideration to the state ~~mental behavioral~~ health authority;

(8) Shall assist the state planning council on ~~mental health~~ with planning for service system improvement. The state planning council shall incorporate the recommendation to the regional ~~mental behavioral~~ health boards into the annual report provided to the governor by June 30 of each year. This report shall also be provided to the legislature; and

(9) May develop, or obtain proposals for, a ~~service plan component petition for regional services~~ for consideration by the state ~~mental behavioral~~ health authority;

(10) May accept the responsibility to develop and provide community recovery support services in their region. The board must demonstrate readiness to accept this responsibility and shall not be held liable for services in which there is no funding to provide. The readiness criteria for accepting this responsibility shall be established by the planning council. The planning council shall also determine when a regional behavioral health board has complied with the readiness criteria. Community recovery support services include, but are not limited to:

(a) Community consultation and education;

(b) Housing to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;

(c) Employment opportunities to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;

(d) Evidence-based prevention activities that reduce the burden associated with mental illness and substance use disorders; and

(e) Supportive services to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization including, but not limited to, peer run drop-in centers, support groups, transportation and family support services;

(8) Shall annually provide a report to the planning council of its progress toward building a comprehensive community recovery support system that shall include performance and outcome data as defined and in a format established by the planning council.

SECTION 19. That Section 39-3133, Idaho Code, be, and the same is hereby repealed and moved to SECTION 10 as a New Section:

SECTION 20. That Section 39-3134, Idaho Code, be, and the same is hereby repealed and moved to SECTION 8 as a New Section:

SECTION 21. That Section 39-3134A, Idaho Code, be, and the same is hereby repealed.

SECTION 22. That Section 39-3135, Idaho Code, be, and the same is hereby repealed and moved to SECTION 9 as a New Section:

SECTION 23. That Section 39-3136, Idaho Code, be, and the same is hereby amended to read as follows:

39-3136. FUNDS. The financial support for the regional mental behavioral health services centers shall be furnished by state appropriations and by whatever federal funds are available in an identifiable section within the mental behavioral health program budgets. Mental Behavioral health services which that are financed or contracted by local or federal sources may be incorporated into the regional mental behavioral health services centers subject to the approval of the state mental behavioral health authority.

SECTION 24. That Section 39-3137, Idaho Code, be, and the same is hereby amended to read as follows:

39-3137. SERVICES TO BE NONDISCRIMINATORY -- FEES. No regional mental behavioral health service center or services provided by regional behavioral health boards shall refuse service to any person because of race, color or religion or because of ability or inability to pay. Persons receiving services will be charged fees in keeping with a fee schedule prepared by the state mental behavioral health authority. Fees collected shall become part of the operating budget and may be utilized by direction of the state mental behavioral health authority.

SECTION 25. That Section 39-3138, Idaho Code, be, and the same is hereby amended to read as follows:

39-3138. EXISTING STATE-COUNTY CONTRACTS FOR SERVICES. No section of this act chapter shall invalidate, or prohibit the continuance of, exist-

ing state-county contracts for the delivery of ~~mental~~ behavioral health services within the participating counties.

SECTION 26. That Section 39-3139, Idaho Code, be, and the same is hereby amended to read as follows:

39-3139. TITLE OF ACT CHAPTER. This act chapter may be cited as the "Regional ~~Mental~~ Behavioral Health Services Act."

SECTION 27. That Chapter 31, Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 39-3140, Idaho Code, and to read as follows:

39-3140. DEPARTMENT RULES. The ~~director~~ is authorized to promulgate rules necessary to implement the provisions of this chapter that are consistent with its provision.